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Attorneys for Plaintiff

## FIDELITY BROKERAGE SERVICES LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

FIDELITY BROKERAGE SERVICES LLC ) CASE NO. 12-5794 SI  
Plaintiff, ) Honorable Susan Illston  
v. )  
JUSTIN DODSON; and J.P. KING ) **STIPULATED REQUEST TO STAY**  
ADVISORS, INC. ) **THE INSTANT PROCEEDINGS**  
Defendants. ) **PENDING RESOLUTION OF FINRA**  
 ) **ARBITRATION PROCEEDINGS;**  
 ) **[PROPOSED] ORDER**  
 ) **[LOCAL RULE 7-12]**

Pursuant to Local Rule 7-12, Plaintiff Fidelity Brokerage Services LLC (“Fidelity”), through its counsel of record, Locke Lord LLP, and Defendants Justin Dodson (“Dodson”) and J.P. King Advisors, Inc. (“J.P. King”) (collectively, “Defendants”), through their counsel of record, Davenport Gerstner & McClure, hereby agree and stipulate as follows:

WHEREAS, on November 9, 2012, the Plaintiff filed a Complaint and Ex Parte Application for a Temporary Restraining Order (Without Security) and Order to Show Cause Re: Preliminary Injunction (“TRO”) pursuant to Federal Rule of Civil Procedure 65 and Local Rule 65-1 in the above-captioned court against Defendants;

WHEREAS, Plaintiff initiated arbitration proceedings in FINRA against Defendants on that same day which address the same subject matter at issue in this action;

WHEREAS, there is a FINRA arbitration hearing set for December 5, 2012 at which time a stipulated order and award will be entered by the arbitration panel that will resolve all of the issues raised in this action.

IT IS HEREBY STIPULATED AND AGREED BY THE PARTIES THAT that this action  
be stayed pending the resolution of the FINRA arbitration proceedings between the parties;

IT IS FURTHER STIPULATED AND AGREED BY THE PARTIES THAT the Order to Show Cause hearing currently set for November 30, 2012 be continued until December 14, 2012 at 9:00 a.m., or some date thereafter convenient to the Court, with the expectation that a dismissal of this action will be promptly filed upon the entry of an order by the arbitration panel.

A proposed order in accordance with the parties' stipulated request has been provided below.

Dated: November 27, 2012    LOCKE LORD LLP

/s/ Sally W. Mimms  
Sally W. Mimms, Esq.  
Attorneys for Plaintiff  
FIDELITY BROKERAGE SERVICES LLC

Dated: November 27, 2012 DAVENPORT GERSTNER & MCCLURE

/s/ Neil M. Gerstner  
Neil M. Gerstner, Esq.  
Attorneys for Defendants  
JUSTIN DODSON AND J.P. KING ADVISORS, INC.

## CERTIFICATION

Pursuant to General Order No. 45, § X.B., the filing attorney attests that she has obtained concurrence regarding the filing of this document from the indicated signatories to the document.

Dated: November 27, 2012

By: \_\_\_\_\_ /s/ Sally W. Mimms  
Sally W. Mimms

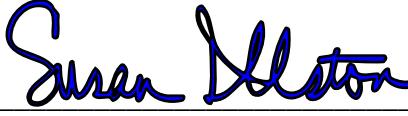
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2                   **[PROPOSED] ORDER**  
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4                   Pursuant to the above stipulated request by and between Plaintiff Fidelity Brokerage Services  
5 LLC ("Fidelity") and Defendants Justin Dodson ("Dodson") and J.P. King Advisors, Inc. ("J.P.  
King") (collectively, "Defendants"), and for good cause shown, IT IS HEREBY ORDERED THAT:

- 6                   A.     This action shall be stayed pending the resolution of the FINRA arbitration  
7                   proceedings between the parties; and  
8                   B.     The hearing on the Order to Show Cause why a Preliminary Injunction should not be  
9                   granted shall be continued to December 14, 2012 at 9:00 a.m.

10                  **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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12 Dated: 11/28/12

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18                   Honorable Susan Illston  
19                   United States District Judge  
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